

REMARKS

Claims 1-18, 20-24 and 29 are pending.

Claims 5-16 and 20 are withdrawn from consideration, and thus, claims 1-4, 17-18, 21-24 and 29 are the elected pending claims.

Elected pending claims 1-4, 17-18, 21-24 and 29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite.

Elected pending claims 1-4, 17-18, 21-24 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mikurak, US 6,606,744, in view of Watson, US 6,581,045.

According to the foregoing the claims are amended, and thus the pending claims remain for reconsideration, which is respectfully requested.

No new matter has been added.

IN THE ABSTRACT

The Office Action page 2, item 3, objects to the Abstract as indicated. According to the foregoing, the Abstract is amended taking into consideration the Examiner's comments. Withdrawal of the Abstract objection is respectfully requested.

35 USC 112, SECOND PARAGRAPH, REJECTION

The Office Action page 3, item 6, rejects elected pending claims 1-4, 17-18, 21-24 and 29 under 35 USC 112, second paragraph, for indefiniteness. Regarding the indefiniteness rejection, the specification clearly supports the claims, for example, page 12, line 18+ and FIG. 1 databases 103, 104, 105, 106 and 107. The present application page 12, lines 18-21 expressly provides "the ***asset management information*** registered in a hardware asset master 104, a software asset master 105, an asset management register master 107 and the like ..." Further, page 14, lines 3-8 discuss the asset management register master 107 as including, for example, the IP address, the user host information, etc., which corresponds to the claimed "storing management information of ~~a~~the network asset communicably connectable to the computer network, ***including network asset identifying information identifying the network asset and computer network node identifying information of the network asset identifying a connection node of the network asset on a computer network to which the network asset***

is communicably connected." Further, according to MPEP 608.01(I), the original claims form part of the original disclosure and provide their own written description. Accordingly, withdrawal of the indefiniteness rejection is respectfully requested.

35 USC 103 REJECTION

The Office Action page 5, item 8 rejects elected pending claims 1-4, 17-18, 21-24 and 29 under 35 USC 103(a) as being unpatentable over Mikurak (US Patent No. 6,606,744) in view of Watson (US Patent No. 6,581,045). Watson is newly cited, and, thus, newly relied upon.

The independent claims 1, 17, 18, and 29, using claim 1 as an example, are amended to traverse the rejection, as follows:

1. (CURRENTLY AMENDED) An asset management system for managing ~~ana~~ network asset communicably connectable to a computer network, said asset management system comprising:

storage means for storing management information of ~~an~~ the network asset communicably connectable to the computer network, including network asset identifying information identifying the network asset and computer network node identifying information of the network asset identifying a connection node of a the network asset on the computer network to which the network asset is communicably connected;

determining means for determining, ~~based on information included in the information circulating over the computer network,~~ a sender and destination network address of the information circulating over the computer network and for determining whether said information circulating over the computer network is information sent from the network asset being managed or information addressed to the network asset being managed;

gathering means for gathering network asset management information, including network asset identifying information identifying an the network asset being managed and computer network node identifying information identifying a connection node to which of the network asset is connected, from based upon the information circulating over the computer network, when it is determined by said determining means that the information circulating over the computer network is information sent from the network asset being managed or information addressed to the asset,; the network asset being managed; and

updating means for comparing the gathered network asset management information with the stored network asset management information ~~storage contents of the storage means~~ and when the gathered network asset management information and the ~~storage contents~~ stored network asset management information are not the same, updating the ~~storage contents of the storage means by~~ stored network asset management information with the gathered network asset management information.

Mikurak column 15, lines 51-57 discuss managing the supply chain between the manufacturers and service providers and the industry supply management is centralized in an eCommerce Market place 206, which include components that manage end-to-end supply chain information, such as demand planning, order fulfillment, scheduling, inventory, etc. Mikurak column 25, lines 38+ also discuss a network asset management 214 component. However, Mikurak column 25, lines 40-55 discuss that network asset management is based upon information received from a service provider and a manufacturer to determine optimal network assets needed. Mikurak column 25, line 65 to column 26, line 5, discuss using an asset tracking tool for tracking network assets, however, Mikurak is silent on how such an asset tracking tool operates to track a network asset. In contrast to Mikurak, the claimed present invention provides “managing ~~ana~~ a network asset communicably connectable to a computer network ... based upon the *information circulating over the computer network*.”

The Office Action page 5, item 8 relies on a combination of Mikurak and Watson, and provides that Watson discloses e.g., FIG. 12 an asset manager where storage data is modified. However, Watson discusses an asset management system to rate the condition of a physical asset component and estimate the service life of the asset (Abstract). Thus, Watson fails to be related to the claimed present invention’s “managing ~~ana~~ a network asset communicably connectable to a computer network ... based upon the *information circulating over the computer network*.” Further, Watson’s FIG. 12 shows functional blocks of a computer.

Therefore, a prima facie case of obviousness cannot be established based upon Mikurak and Watson, because even if one combined Mikurak and Watson, such a combined system fails to disclose or suggest to one skilled in the art to modify Mikurak’s asset tracking tool (column 26, lines 1-5), to achieve the claimed present invention’s “managing ~~ana~~ a network asset communicably connectable to a computer network ... based upon the *information circulating over the computer network*,” since at least Mikurak fails to describe how the asset tracking tool

for tracking network assets operates, and Watson only relates to estimating service life of the asset.

In particular, Mikurak and Watson, either alone or as combined, fail to disclose or suggest to one skilled in the art the claimed present invention's "**~~determining, based on information included in the information circulating over the computer network, a sender and destination network address of the information circulating over the computer network~~ and for determining whether said information circulating over the computer network is information sent from the network asset being managed or information addressed to the network asset being managed ... gathering network asset management information ... when it is determined by said determining means that the information circulating over the computer network is information sent from the network asset being managed or information addressed to the asset; the network asset being managed.**"

Mikurak is silent on "**~~determining sender and destination network address of the information circulating over the computer network~~**" to track a network asset.

Dependent claims recite patentably distinguishing features of their own or are at least patentably distinguishing due to their dependencies from the independent claims.

In view of the claim amendments and remarks, it is believed the claims are in condition for allowance, and withdrawal of the rejection of pending claims and allowance of pending claims is respectfully requested.

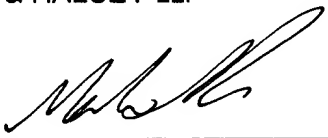
CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Respectfully submitted,
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